

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
TODD BAZZINI, GREGORY LEONARCZYK, NOAH  
ALLEN and JOHN MARKIEWICZ,  
Individually and on Behalf of All Other Persons  
Similarly Situated,

Plaintiffs,

-against-

CLUB FIT MANAGEMENT, INC., JEFFERSON  
VALLEY RACQUET CLUB, INC., DAVID SWOPE,  
BETH BECK and BILL BECK.

Defendants.  
----- X

Case No. 08-Civ.-4530

**PLAINTIFFS' NOTICE  
OF MOTION AND  
MOTION FOR  
CONDITIONAL  
CERTIFICATION AS A  
COLLECTIVE ACTION  
AND DISSEMINATION  
OF NOTICE TO  
SIMILARLY SITUATED  
EMPLOYEES**

PLEASE TAKE NOTICE that named plaintiffs Todd Bazzini, Gregory Leonarczyk, Noah Allen and John Markiewicz, and opt-in plaintiffs Leaf O'Neal and Adrian Cosma ("Plaintiffs"), by and through their counsel, will hereby move this Court on a date and at such time as may be designated by the Court, at 500 Pearl Street, New York, for an Order (filed herewith): (i) conditionally certifying as a collective action and dissemination of notice to similarly situated employees; and (ii) granting such other and further relief as the Court may deem just and proper. In support of this Motion, Plaintiffs submit herewith a Memorandum of Law, [Proposed] Court Authorized Notice, [Proposed] Order and the Declaration of Christopher Marlborough, dated July 7, 2008.

Dated: July 7, 2008  
New York, New York

Respectfully submitted,

**FARUQI & FARUQI, LLP**

By: s/Adam Gonnelli  
Adam Gonnelli (AG-4782)

Beth A. Keller (BK-9421)  
Christopher Marlborough (CM-6107)  
369 Lexington Avenue, 10th Floor  
New York, New York 10017  
Telephone: (212) 983-9330  
Facsimile: (212) 983-9331

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/Adam Gonnelli

Adam Gonnelli (AG-4782)

## Mailing Information for a Case 1:08-cv-04530-BSJ-MHD

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Adam Richard Gonnelli**  
agonnelli@faruqilaw.com, abarinov@faruqilaw.com
- **Beth Ann Keller**  
bkeller@faruqilaw.com
- **Christopher Marlborough**  
cmarlborough@faruqilaw.com
- **Mark Andrew Saloman**  
msaloman@proskauer.com

### Manual Notice List

The following is the list of attorneys who are **not**

on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)